

BOIES SCHILLER FLEXNER LLP
 RICHARD J. POCKER (NV Bar No. 3568)
 300 South Fourth Street, Suite 800
 Las Vegas, NV 89101
 Telephone: 702.382.7300
 Facsimile: 702.382.2755
 rpocker@bsflp.com

PAUL, WEISS, RIFKIND, WHARTON &
 GARRISON LLP
 WILLIAM A. ISAACSON (pro hac vice)
 KAREN DUNN (pro hac vice)
 2001 K Street, NW
 Washington, DC 20006
 Telephone: 202.223.7300
 Facsimile: 202.223.7420
 wisaacson@paulweiss.com
 kdunn@paulweiss.com

BOIES SCHILLER FLEXNER LLP
 BEKO REBLITZ-RICHARDSON (pro hac
 vice)
 SEAN P. RODRIGUEZ (pro hac vice)
 44 Montgomery Street, 41st Floor
 San Francisco, CA 94104
 Telephone: 415.293.6800
 Facsimile: 415.293.6899
 brichardson@bsflp.com
 srodriguez@bsflp.com

MORGAN, LEWIS & BOCKIUS LLP
 BENJAMIN P. SMITH (pro hac vice)
 JOHN A. POLITO (pro hac vice)
 SHARON R. SMITH (pro hac vice)
 One Market, Spear Street Tower
 San Francisco, CA 94105
 Telephone: 415.442.1000
 Facsimile: 415.442.1001
 benjamin.smith@morganlewis.com
 john.polito@morganlewis.com
 sharon.smith@morganlewis.com

DORIAN DALEY (pro hac vice)
 DEBORAH K. MILLER (pro hac vice)
 JAMES C. MAROULIS (pro hac vice)
 ORACLE CORPORATION
 500 Oracle Parkway, M/S 5op7
 Redwood City, CA 94070
 Telephone: 650.506.4846
 Facsimile: 650.506.7114
 dorian.daley@oracle.com
 deborah.miller@oracle.com
 jim.maroulis@oracle.com

*Attorneys for Plaintiffs Oracle USA, Inc.,
 Oracle America, Inc., and Oracle
 International Corp.*

UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

ORACLE USA, INC.; a Colorado corporation;
 ORACLE AMERICA, INC.; a Delaware
 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
 and SETH RAVIN, an individual,
 Defendants.

Case No. 2:10-cv-0106-LRH-VCF

**DECLARATION OF BARBARA ANN
 FREDERIKSEN-CROSS IN
 SUPPORT OF ORACLE'S
 OPPOSITION TO RIMINI STREET,
 INC.'S MOTION TO EXCLUDE THE
 DECLARATION AND OPINIONS OF
 BARBARA ANN FREDERIKSEN-
 CROSS ISO ORACLE'S MOTION
 FOR ORDER TO SHOW CAUSE**

1 I, Barbara Ann Frederiksen-Cross, declare as follows:

2 1. I have been retained as an expert witness in this matter by Plaintiffs Oracle USA,
3 Inc., Oracle International Corp., and Oracle America, Inc. ("Oracle"). I submit this Declaration in
4 support of Oracle's Opposition to Rimini's Motion to Exclude The Declaration And Opinions of
5 Barbara A. Frederiksen-Cross in support of Oracle's Motion for Order to Show Cause. I have
6 personal knowledge of the facts set forth in this declaration, and could testify competently to
7 them if asked to do so.

8 2. I am the Director of Litigation Services for JurisLogic, LLC ("JurisLogic").
9 JurisLogic is an Oregon corporation that provides consulting services to computer hardware and
10 software manufacturers and computer-related technical assistance to the legal profession in the
11 United States, Canada, Japan, Singapore, and Europe. JurisLogic specializes in providing
12 consulting services to corporations and attorneys on intellectual property matters (such as
13 copyright and patent infringement matters, and misappropriation of trade secrets) and performing
14 assessments of computer software and Techno-archeology (the analysis of software development
15 projects). I have experience in the design, development, and analysis of computer software, and I
16 have previously provided both trial and deposition testimony as an expert for matters in state and
17 federal courts, authored a number of papers, and delivered lectures on technology to the legal
18 profession.

19 3. I have over forty-five (45) years of personal experience as a software developer
20 and consultant, including the development of web-based systems, and secure online data access
21 systems used by banks, insurance companies, hospitals, and telecommunication providers. I have
22 extensive experience in the design, implementation, and ongoing administration of databases and
23 multi-dimensional data aggregation systems, such as data marts and data warehouses used to
24 support business analysis.

25 4. I have been trained in forensic analysis of computer software in the specific
26 context of copyright infringement and trade secret analyses, and I have previously qualified as an
27 expert in state and federal courts to testify about the operation of computer software and computer
28 systems, including for matters that involve software copyright and trade secret disputes.

1 5. With support from my colleagues at JurisLogic and Stroz Friedberg, I have
2 reviewed computer-based evidence, including images of computer systems used by some of
3 Rimini's customers, file listings and metadata from the computer systems of other Rimini
4 customers, and files produced for my inspection by both Rimini and Oracle. We also reviewed
5 technical documents, emails, and deposition transcripts relating to the technology at issue in this
6 matter.

7 6. On January 31, 2020, I signed my "Post-Injunction Expert Report of Barbara Ann
8 Frederiksen-Cross," and on May 20, 2020, I signed a corrected version of my "Post-Injunction
9 Expert Report of Barbara Ann Frederiksen-Cross" ("Opening Report"), both of which I
10 understand were submitted to Rimini as part of discovery in this action. For consistency, citations
11 in this Declaration are to this corrected version.

12 7. On May 20, 2020, I also signed my "Post-Injunction Surrebuttal Expert Report of
13 Barbara Ann Frederiksen-Cross," and on June 12, 2020, I signed a corrected version of my "Post-
14 Injunction Surrebuttal Expert Report of Barbara Ann Frederiksen-Cross" ("Surrebuttal Report"),
15 both of which I understand were submitted to Rimini as part of discovery in this action. For
16 consistency, citations in this Declaration are to this corrected version.

17 8. In the *Rimini II* matter, on May 4, 2018, I signed my "Expert Report of Barbara
18 Ann Frederiksen-Cross," and on June 19, 2018, I signed a supplemental version entitled
19 "Supplemental Expert Report of Barbara Ann Frederiksen-Cross" ("*Rimini II* Opening Report"),
20 both of which I understand were submitted to Rimini as part of discovery in that *Rimini II* action,
21 and were deemed part of discovery in this action. For consistency, citations in this Declaration
22 are to this supplemental version.

23 9. Also in the *Rimini II* matter, on June 22, 2018, I signed my "Rebuttal Report of
24 Barbara Ann Frederiksen-Cross to the Expert Report of Owen Astrachan" ("*Rimini II* Rebuttal
25 Report"), which I understand was submitted to Rimini as part of discovery in that *Rimini II*
26 action, and was deemed part of discovery in this action. For consistency, citations in this
27 Declaration are to this corrected version.

28 10. These reports are true and correct statements of my opinions and the evidence on

1 which those opinions are based, and if called as a witness at trial I would testify to those opinions.

2 11. Any of the documents or exhibits that I have relied on in this action that are not
3 included here or in a previously-filed document, can be provided upon request.

4 12. Attached as **Exhibit 5** is a true and correct copy of excerpts from my Opening
5 Report.

6 13. Attached as **Exhibit 6** is a true and correct copy of excerpts from my Surrebuttal
7 Report.

8 14. Attached as **Exhibit 7** is a true and correct copy of excerpts from my *Rimini II*
9 Opening Report.

10 15. Attached as **Exhibit 8** is a true and correct copy of excerpts from my *Rimini II*
11 Rebuttal Report.

12
13 I declare under penalty of perjury under the laws of the United States of America that the
14 foregoing is true and correct and this declaration was executed at Hubbard, Oregon.

15
16
17 DATED: August 14, 2020

18 

19 _____
20 Barbara Ann Frederiksen-Cross
21
22
23
24
25
26
27
28